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FOLLOWING TRUST FUNDS.—The general deposit by an administrator of money of the estate in a bank owned by him is held, in *Shule v. Hinman* (Or.), 47 L. R. A. 265, to destroy its identity, if any portion of the money is afterwards checked out, so that the fund cannot be traced into the hands of bank's assignee in case of insolvency, although more than the amount of the deposit remains in the bank.

The last number of the *American Law Review* contains a learned discussion of this subject. 34 Am. Law Rev. 342.

MUNICIPAL FRANCHISE—RIGHT OF ALIENATION—The permission granted to a telephone company to maintain its lines in a municipality is held, in *Michigan Teleph. Co. v. St. Joseph* (Mich.), 47 L. R. A. 87, to be subject to alienation to another company without consent of the city, by virtue of the general provisions of the statute authorizing corporations to alienate their property. In a note to this case the authorities respecting the transfer of privileges to use streets for such purposes are collected, and most of them hold that such privilege cannot be alienated without legislative sanction.

BENEFIT ASSOCIATIONS—AGREEMENT TO COMPLY WITH FUTURE BY-LAWS.—A provision in the contract of a member of a mutual benefit association, that he will comply with the laws, rules, and regulations then governing the order, "or that may be hereafter enacted for its government," is held, in *Thibert v. Supreme Lodge Knights of Honor* (Minn.), 47 L. R. A. 136, to be subject to the implied condition that any changes in the by-laws thereafter made shall be reasonable. This case puts a very important limitation on the reservation of power by such associations to make changes in their regulations affecting the rights of existing members.

PERSONAL INJURIES—POWER TO COMPEL PLAINTIFF TO SUBMIT TO X-RAY.—An application to require the plaintiff in an action for personal injuries to submit his neck to be photographed by the use of the Roentgen or X-rays was refused in *Wittenberg v. Onsgard* (Minn.), 47 L. R. A. 141, because the application was not seasonably made, and also because it did not sufficiently appear that the person by whom it was proposed to have the photograph taken had the requisite skill and experience to apply the rays properly. The court raised a query as to whether science is yet sufficiently advanced to justify the courts in taking judicial notice as an established fact that exposure to X-rays is not injurious to the subject.

POLICE POWER—STATUTE PROHIBITING WASTE OF NATURAL GAS.—An Indiana statute making it unlawful to permit the flow of gas or oil from a well to escape into the open air without being confined within the well or some receptacle, for more than two days after gas or oil has been struck, is held constitutional by the Supreme Court of the United States in *Ohio Oil Co. v. Indiana*, Advance Sheets U. S. p. 576. The court holds that the owner of the surface has no property right in the gas or oil until he has actually reduced it to possession, or that, if he has any property right therein, it is a right in common with the co-equal right of other land-owners to take from the common source of supply, and therefore subject to the legislative power to prevent a destruction of the common property by one of the common owners.